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JS 44 (Rev. 12/12) cand rev (1/15/13)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS				DEFENIR		
LISA ARLENE TIMLICK				DEFENDANTS NATIONAL ENTERPRISE SYSTEMS, INC.		
				NATIONAL	ENTERPRISE SYST	EMS, INC.
(b) C	CET ITT I THE T	1				
(b) County of Residence of First Listed Plaintiff Lake				County of Residence of First Listed Defendant		
(EXCEPT IN U.S. PLAINTIFF CASES)				(IN U.S. PLAINTIFF CASES ONLY)		
				NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF		
(a) A44				THE TRACT OF LAND INVOLVED.		
(c) Attorneys (Firm Name, A) Fred W. Schwinn	ddress, and Telephone Number)			Attorneys (If Known)		
Consumer Law Center				Mark E. Ellis; Amanda N. Griffith; Anthony P. J. Valenti		
				Ellis Law Group, LLP		
12 South First Street,	Suite 1014			740 University Avenue, Suite 100		
San Jose, CA 95113				Sacramento, ČA 95825		
408-294-6100				916-283-882	0	
II. BASIS OF JURISDIC	TION (Place an "X" in One	Box Only)	III. CIT	IZENSHIP OF P	RINCIPAL PARTIES (Place	
			a	or Diversity Cases Only)	an	ce an x in One Box for Plaintij id One Box for Defendant)
U.S. Government Plaintiff	3 Federal Question			PTF	DEF	PTF DEF
Plaintiff	(U.S. Government No	ot a Party)	Citizen o	f This State		ipal Place 4 4
2 U.S. Government	X 4 Diversity				of Business In Th	us State
Defendant	(Indicate Citizenship	of Parties in Item III)	Citizen o	f Another State	2 Incorporated and Prin	
			Citizen o	r Subject of a	of Business In Ar	nother State
				n Country	3 Foreign Nation	6 6
IV. NATURE OF SUIT (P)	ace an "X" in One Box Only)				-	
CONTRACT		S ection in the light file.	18	ORFEITURE/PENALTY		n 202(02:112:112:112:122
110 Insurance	PERSONAL INJURY	PERSONAL INJURY			BANKRUPTCY	OTHER STATUTES
120 Marine	310 Airplane	365 Personal Inju		625 Drug Related Seizure of Property 21 USC 88	422 Appeal 28 USC 158	375 False Claims Act
I30 Miller Act	315 Airplane Product	Product Liab	, ,	690 Other	423 Withdrawal 28 USC 157	400 State Reapportionment
140 Negotiable Instrument	Liability	367 Health Care		5 070 Other	28 USC 157	410 Antitrust
150 Recovery of Overpayment	320 Assault, Libel & Slander	Pharmaceuti			PROPERTY RIGHTS	430 Banks and Banking
& Enforcement of Judgment	330 Federal Employers'	Personal Inju Product Liab	·		820 Copyrights	450 Commerce
152 Recovery of Defaulted	Liability	368 Asbestos Per			830 Patent	460 Deportation 470 Racketeer Influenced and
Student Loans	340 Marine	Injury Produ			840 Trademark	Corrupt Organizations
(Excludes Veterans)	345 Marine Product	Liability	***	LABOR	SOCIAL SECURITY	480 Consumer Credit
		DEDECALL BROKE	Dary -	1	BOCKALI DECURITI	490 Cable/Sat TV
153 Recovery of Overpayment	Liability	PERSONAL PROPE		710 Fair Labor Standardo	074 7174 7170700	
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JS 44 Reverse (Rev. 12/12)

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44

Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I. (a) Plaintiffs-Defendants. Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
- (b) County of Residence. For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
- (c) Attorneys. Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. Jurisdiction. The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below. United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here. United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box. Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.
 Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; NOTE: federal question actions take precedence over diversity cases.)
- III. Residence (citizenship) of Principal Parties. This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit. Place an "X" in the appropriate box. If the nature of suit cannot be determined, be sure the cause of action, in Section VI below, is sufficient to enable the deputy clerk or the statistical clerk(s) in the Administrative Office to determine the nature of suit. If the cause fits more than one nature of suit, select the most definitive.
- V. Origin. Place an "X" in one of the six boxes.
 - Original Proceedings. (1) Cases which originate in the United States district courts.
 - Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441. When the petition for removal is granted, check this box.
 - Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
 - Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date. Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
 - Multidistrict Litigation. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407. When this box is checked, do not check (5) above.
- VI. Cause of Action. Report the civil statute directly related to the cause of action and give a brief description of the cause. Do not cite jurisdictional statutes unless diversity. Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service
- VII. Requested in Complaint. Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P. Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction. Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. Related Cases. This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

Date and Attorney Signature. Date and sign the civil cover sheet.

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CERTIFICATE OF SERVICE

I, Jennifer Mueller, declare:

I am a citizen of the United States, am over the age of eighteen years, and am not a party to or interested in the within entitled cause. My business address is 740 University Avenue, Suite 100, Sacramento, CA 95825.

On February 3, 2017, I served the following document(s) on the parties in the within action:

CIVIL COVER SHEET

X

BY MAIL: I am familiar with the business practice for collection and processing of mail. The above-described document(s) will be enclosed in a sealed envelope, with first class postage thereon fully prepaid, and deposited with the United States Postal Service at Sacramento, CA on this date, addressed as follows:

Fred W. Schwinn

Raeon R. Roulston

Matthew C. Salmonsen

Consumer Law Center, Inc.

12 South First Street

Suite 1014

San Jose, CA 95113-2404

Attorneys for Plaintiff Lisa Arlene Timlick

I declare under penalty of perjury under the laws of the State of California that the foregoing is a true and correct statement and that this Certificate was executed on February 3, 2017.

Jennifer Mueller

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